

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA)
)
) Case No. 1:08CR00024-002
)
)
v.) **FINAL ORDER**
)
)
BRYANT KELLY PRIDE,) By: James P. Jones
) United States District Judge
Defendant.)

For the reasons stated in the accompanying Opinion, it is **ORDERED** as follows:

1. The defendant's motion (ECF No. 3074), to the extent that it seeks relief from judgment under Fed. R. Civ. P. 60(b), is DENIED;
2. The Clerk is DIRECTED to redocket the defendant's pro se motion (ECF No. 3074) as a Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255;
3. The § 2255 motion is hereby DENIED without prejudice as successive;
4. The § 2255 motion is stricken from the active docket of the court; and
5. A Certificate of Appealability is DENIED.

ENTER: October 23, 2013

/s/ James P. Jones
United States District Judge